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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/078,555	05/14/1998	CHANDRAKANT BHAILALBHAI PATEL	Q50373	7386

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EXAMINER

TRAN, CONGVAN

ART UNIT PAPER NUMBER

2617

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/078,555

Applicant(s)

PATEL ET AL.

Examiner

CongVan Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-23,26,27,30,34 and 37 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31-33 and 38-41 is/are allowed.
- 6) ☐ Claim(s) 28,29,35 and 36 is/are rejected.
- 7) ☒ Claim(s) 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to argument filed on Jan 20, 2006.
2. Claims 1-23, 26-27, 30, 34, and 37 have been canceled.
3. Claim 41 has been added.

Response to Arguments

4. Applicant's arguments with respect to claims 24-25, 28-29, 31-33, 35-36, 38-41 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 29 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. "sampled symbol sequence is surrounded by plurality of non-variant symbols" was not described in the specification.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

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by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

8. Claim 24 is rejected under 35 U.S.C. 102(e) as being anticipated by Oshima et al. (5,600,672).

Regarding claims 24, Oshima discloses a receiver for interception of VSB multi-level transmitted signals comprising the steps of:

identifying a direct current (DC) component of a received signal (see fig.178, col.61, lines 37-50 element 1041 and its description); and

controlling the operating mode of the equalizer in response to the identification of the direct current component of said received signal, wherein the received signal at times comprises multi-level symbols represent data and a field synchronizing signal, said symbols being characterized by a substantially constant direct current (DC) offset component, and at other times comprises multi-level symbols representing data and being characterized by not being accompanied by said substantially constant direct offset (DC) component, and wherein the step of controlling the operating mode of the equalizer in response to the identification of the direct current (DC) offset component of said received signal (see fig.178, col.61, lines 50-55 element 1041, 1044, 1043, 752, 1045 and its description) comprises substeps of: determining whether or not said received signal is currently accompanied by said substantially constant direct current offset component (see fig.178, col.61, lines 50-55 element 1040-1045 and its description). (see fig.178, col.61, lines 50-55 element 1040 and its description); calculating desired spectral response for said equalizer using a portion of said field synchronizing signal as a training signal, in response to it being determined that the

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direct current level said received signal is currently accompanied by said substantially constant direct current offset component (see fig.178, col.61, lines 50-55 elements 1041, 1044, and its description); establishing desired spectral response for said equalizer other than from calculations using a portion of said field synchronizing signal as a training signal, in response to it being determined that said received signal is currently unaccompanied by said substantially constant DC offset component (see fig.178, elements 752, 1043, 1044 and its description).

9. Claims 28, 35-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al. (5,251,033).

Regarding claims 28, Anderson discloses a DC responsive equalization for television transmission channel irregularities comprising:

determining the variation, during an interval time, of direct the current (DC) offset level of a received signal (see abstract, fig.1, element 20, col.2, lines 65-68 and its description); and

controlling the operation mode of the equalizer in response to the determined variation (see fig.1, element 24, col.3, lines, 24-40, figs.3-4, element 24, col.4, lines 1-56 and its description),

wherein the received signal comprises multilevel symbols representing data and a field synchronizing signal said symbols being characterized by a DC offset (see fig.1, elements 14, 16, 20 and its description) and

wherein the determining step further comprises processing the field-synchronizing signal to determine the variation of the DC offset in received signal (see col.1, lines 38-51),

wherein the field synchronizing signal comprises a pseudo random number symbols sequence (see fig.2, and its description) and

wherein the processing comprises sampling a part of the pseudo random number symbol sequence (see fig.1, element 14 and its description).

Allowable Subject Matter

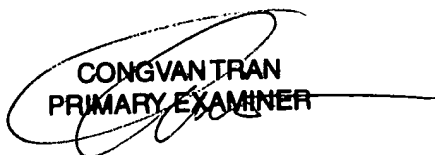
10. Claim 25 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 31-33 and 38-41 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Harold-Bank can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CONGVAN TRAN
PRIMARY EXAMINER

CongVan Tran
Primary Examiner
Art Unit 2617

May 03, 2006.